

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

LUIS IGNACIO RIVERA PEREZ
SILVIA ENID MORALES MORENO
DEBTOR(S)

CASE NO. 19-03569-ESL
CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON POST CONFIRMATION MODIFIED PLAN DATED 1/24/2024**

With respect to the above-referred payment plan with a base of \$25,397.00 the Trustee
Renders the following recommendation:

☐

FAVORABLE

☒

UNFAVORABLE

The liquidation value of the estate is :\$ 7,792.00 (PV\$9,038.00)

The general unsecured pool is :\$ 16,530.00

The applicable commitment period (years) is: 5

1. **[X] FEASIBILITY 11 USC § 1325(a)(6):**Per PCM filed, case has \$47.00 in arrears. Also, last payment was received in the amount of \$385.00 instead \$532.00 as proposed. Debtors to review.

2. **[] INSUFFICIENTLY FUNDED § 1325(b):**

3. **[] UNFAIR DISCRIMINATION § 1322(b):**

5. **[X] FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):**

(1) Provide copy of state and federal (if any) tax returns for taxable year 2023. (2) Per evidence of income submitted its appears that debtors received Christmas bonus during November (\$700.00 for debtor and \$3,118.00 for Joint debtor yearly); however, said income was not included in Schedule I.

4. **[] FAILS LIQUIDATION VALUE TEST § 1325(a)(4):**

6. **[] DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):**

7. **[X] OTHER:**

(1) Amend section 3.1 to correct creditor name to Oriental Bank as per Notice of transfer of claim filed in dkt# 31. (2) Debtors to review section 5.1 to disclose unsecured pool of \$16,530.00. (Se amended Mean test filed in dkt#20).

TRUSTEE'S REPORT ON POST CONFIRMATION

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NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s).
Copies are available to parties in interest at the Trustee's Office.

DATE: 2/1/2024

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/s/ Pedro R Medina

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